

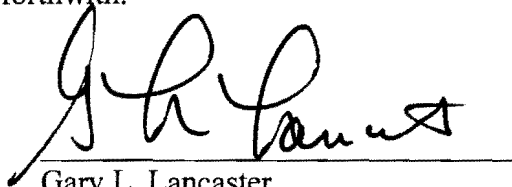
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DONALD MESSINA,)	
Petitioner,)	
)	
vs.)	Civil Action No. 10-1004
)	
STATE TROOPER DAVID SPRANKLE,)	
et al.,)	
Respondents.)	

ORDER

AND NOW, this 24th day of August, 2010, after the petitioner, Donald Messina, filed a petition for a writ of habeas corpus, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties a period of time after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the petitioner, and upon independent review of the petition and the record and upon consideration of the Magistrate Judge's Report and Recommendation (Docket No. 6, which is adopted as the opinion of this Court,

IT IS ORDERED that the petition for a writ of habeas corpus filed by petitioner Donald Messina (Docket No. 2) is transferred to the United States Court of Appeals pursuant to 28 U.S.C. § 1631 as a successive petition forthwith.



Gary L. Lancaster
United States Chief District Judge

cc: Donald Messina
GG-0082
SCI Dallas
1000 Follies Road
Dallas, PA 18612-0286